

STATEMENT OF REP. JOHN CONYERS, JR.
Courts, the Internet, and Intellectual Property Subcommittee
Hearing on H.R. 4586, the "Family Movie Act of 2004"
June 17, 2004

At the outset, I am embarrassed we are even considering this bill. The Republicans know full well that the directors and ClearPlay are engaged in settlement negotiations to resolve a lawsuit over copyrights; they are using this bill and this second hearing to pressure the directors and help the other side.

In my tenure in Congress, this is only the second time I can remember having a one-sided hearing involving on-going settlement talks; not surprisingly, the first was a few weeks ago on the same issue. Our hearings should be reserved for public policy debates, not for strong-arming private litigants.

It is more troubling considering that we are here to continue the Republican assault on the First Amendment and media content. In the past few months, we've seen Republican overreaction to a televised Superbowl stunt and to radio broadcasts. Now the self-proclaimed moral majority is turning to movies.

Censoring filmmakers would diminish the nature of this medium. Let us not forget that *Schindler's List* was on broadcast television completely uncut. The movie studio and the broadcasters knew the film could not convey its feeling and authenticity if it was edited. Despite this, the movie has been edited by censors to diminish the atrocities of the Nazi party. *Traffic*, an acclaimed anti-drug movie, has been edited in a way that makes drug use appear glamorous.

This is not to say that movie fans should be forced to watch the latest Quentin Tarantino movie. People looking for family-friendly fare have countless choices. Parents are inundated with commercials for the latest children's movies. Hollywood has its own ratings system that tells parents which movies are suitable for children and, over the past several years, has

increased its output of G- and PG-rated films. Newspaper reviewers make specific mention of family-friendly films. Finally, organizations like Focus on the Family provide information on movies for parents who seek it. In short, there are options.

At the hearing on this bill, we heard our colleagues Rep. Randy Forbes (R-VA) and Rep. John Carter (R-TX) say the government has no business in this issue. The last time I checked, Congress was a part of the government. Having said that, there is a simple solution to this problem. It is a market-based solution that conservatives should like. If a family finds a particular DVD offensive, it should not buy it.